

By: Hall

S.B. No. 299

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to health care services provided at a hospital by a  
3 physician who is not a member of the hospital's medical staff and  
4 the hospital's liability for health care services provided by such  
5 a physician.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter E, Chapter 241, Health and Safety  
8 Code, is amended by adding Section 241.1013 to read as follows:

9 Sec. 241.1013. SERVICES PROVIDED BY PHYSICIAN NOT ON  
10 MEDICAL STAFF; LIMIT ON HOSPITAL LIABILITY. (a) A hospital shall  
11 allow a physician who is not a member of the hospital's medical  
12 staff to provide care or treatment to a patient at the hospital at  
13 the patient's request.

14 (b) Notwithstanding any other law, a hospital is not liable  
15 to a patient or another person for damages resulting from the care  
16 or treatment provided to the patient at the hospital by a physician  
17 described by Subsection (a).

18 SECTION 2. Section 241.1013(b), Health and Safety Code, as  
19 added by this Act, applies only to a cause of action that accrues on  
20 or after the effective date of this Act.

21 SECTION 3. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2023.